

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
J & J SPORTS PRODUCTIONS, INC.

Plaintiff

07 CV 8755

-AGAINST-

FRANK POOL ROOM  
d/b/a FRANK POOL ROOM RESTAURANT  
and FRANCISCO HERNANDEZ

**DEFAULT JUDGMENT**

Defendant

-----X

This action having been commenced on October 10, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on the defendant, Frank Pool Room d/b/a Frank Pool Room Restaurant and Francisco Hernandez, on October 29, 2007 by personal service on Frank Pool Room d/b/a Frank Pool Room Restaurant and Francisco Hernandez, and a proof of service having been filed on November 8, 2007 and the defendant not having answered the Complaint, and the time for answering the Complaint having expired, it is

ORDERED, ADJUDGED AND DECREED: That the plaintiff have judgment against defendants in the liquidated amount of \$20,000.00 with interest at 9% from February 25, 2006, amounting to \$3,450.00; plus costs and disbursements of this action in the amount of \$470.00, plus attorney fees amounting to \$700.00, amounting in all to \$24,620.00.

Dated: New York, New York

\_\_\_\_\_  
Louis L. Stanton  
United States District Judge

UNITED STATES DISTRICT COURT  
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Plaintiff

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**AFFIDAVIT FOR  
JUDGMENT BY DEFAULT**

Defendant

-----X

STATE OF NEW YORK     )  
                                  )  
COUNTY OF NEW YORK    )     ss:

Paul J. Hooten, being duly sworn, deposes and says:

I am a member of the Bar of this Court and am associated with the firm of Paul J. Hooten & associates, attorney for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.

1. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of plaintiffs application for the entry of a default judgment against defendant.
2. This is an action to recover the unauthorized exhibition of the telecast of the February 25, 2006, boxing match between Fernando Vargas and Shane Mosley by the defendant. See attached summons and complaint attached hereto as Exhibit "A".
3. This Action was commenced on October 10, 2007 by the filing of the

Summons and complaint. A copy of the summons and complaint was served on the defendant on October 29, 2007 by service on Solo Smunado, Managing Agent. The defendant has not answered the complaint and the time for the defendant to answer the complaint has expired.

4. This action seeks judgment for the liquidated amount of \$20,000.00, plus interest at 9% from February 25, 2006, amounting to \$3,450.00, plus costs and disbursements of this action in the amount of \$470.00, plus attorney fees amounting to \$700.00, amounting in all to \$24,620.00.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: Mt. Sinai, New York

January 17, 2008

/s/ Paul J. Hooten  
Paul J. Hooten

Sworn to before me this 17<sup>th</sup>  
Day of January, 2008

/s/ Cheryl E. Lorefice  
Notary Public

Cheryl E. Lorefice  
Notary Public, State of New York  
No. 4999823  
Qualified in Suffolk County Commission Expires August 3, 2010

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**STATEMENT OF DAMAGES**

Defendant

-----X

Principal amount sued for ..... \$20,000.00

Interest at 9% from February 25, 2006 through January, 2007 .....\$ 3,450.00

Costs and Disbursements:

Clerk's fee .....	\$ 350.00
Process Server fee for service .....	\$ 120.00
Attorney fee .....	\$ 700.00

Total as of December 1, 2007 ..... \$24,620.00

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**CERTIFICATE OF SERVICE**

Defendant

-----X

I certify that a copy of the Default Judgment, Affidavit for Judgment by Default, and  
Statement of Damages was sent via U.S. Postal Service, postage prepaid, first class mail,  
addressed to the following on January 17, 2008:

Frank Pool Room  
d/b/a Frank Pool Room Restaurant  
185 East 167<sup>th</sup> Street  
Bronx, NY 10456

Francisco Hernandez  
185 East 167<sup>th</sup> Street  
Bronx, NY 10456

/s/ Paul J. Hooten  
Paul J. Hooten, Esquire  
Attorney for Plaintiff  
5505 Nesconset Highway, Suite 203  
Mt. Sinai, NY 11766  
Telephone (631) 331-0547